

EXHIBIT H

1 IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN
2 DISTRICT OF WEST VIRGINIA-CHARLESTON DIVISION

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IN RE: ETHICON, INC. :
5 PELVIC REPAIR SYSTEM, :
PRODUCTS LIABILITY LITIGATION : MDL NO. 2327

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THIS DOCUMENT RELATES TO ALL CASES

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9 CONFIDENTIAL - SUBJECT TO PROTECTIVE ORDER

10 - - -
July 15, 2013
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14 Deposition of RAMY MAHMOUD, M.D., held
15 at DRINKER BIDDLE AND REATH, LLP, 105 College
16 Road East, Suite 300, Princeton, New Jersey,
17 commencing at approximately 9:20 a.m., before
18 Margaret M. Reihl, a Certified Realtime
19 Reporter, Certified Court Reporter and Notary
20 Public for the State of New Jersey.

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23
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1 have reported to your subordinates, I don't want to ask
2 you to name them all.

3 A. No, it was a very small number. It
4 might have been perhaps three. I don't recall the
5 exact number.

6 Q. Who were the people in Germany that
7 reported to you or your subordinates?

8 A. I don't recall the names. I can tell
9 you that their function was preclinical research. At
10 one point there may also have been a medical affairs
11 physician in Germany and at other times not.

12 Q. The preclinical research that was
13 performed in Germany during your time with Ethicon, did
14 it involve any of the transvaginal tapes or
15 transvaginal mesh?

16 A. I don't recall.

17 Q. Go ahead and tell me what were your
18 responsibilities as chief medical officer of Ethicon
19 and vice president in charge of evidence-based
20 medicine?

21 A. So there were four departments that
22 comprised evidence-based medicine. One of them was
23 preclinical research. One of them was health economics
24 and reimbursement. One of them was clinical
25 development, and the last was medical affairs.

1 Q. What was the third one? I'm sorry.

2 A. Clinical development.

3 Q. And so all four of these departments
4 reported to you?

5 A. Yes, each of those departments had a
6 designated leader, and each of those leaders reported
7 to me.

8 Q. Who was the leader for preclinical?

9 A. Well, that changed over time.

10 Q. Okay.

11 A. When I first arrived it was a Dr. Mark
12 Storch, and then I later hired a new leader for
13 preclinical research. His name was Larry Johnson.

14 Q. And who was the leader for health
15 economics and research?

16 A. Health economics and reimbursement.

17 Q. I'm sorry, reimbursement, excuse me.

18 A. For the majority of the time that I was
19 there, the leader was named Sheri Dodd.

20 Q. And who was the leader for clinical
21 development?

22 A. Jessica Shen.

23 Q. Is that Cheng?

24 A. Shen, S-h-e-n.

25 Q. And I believe you told me the medical

1 A. Yes.

2 Q. Did you have an understanding during
3 your tenure or were you aware of this document hold?

4 A. Almost certainly. I didn't discard
5 documents pretty much at all. I operate under the
6 general assumption that nothing could be discarded
7 unless I knew specifically that it could.

8 Q. And what was your process for that? I
9 mean, was there a policy that you were to discard or
10 destroy documents that were not subject to litigation
11 holds or some other sort of hold periodically?

12 A. There was a document retention policy
13 for the company as a whole, to which I would have
14 adhered, but I cannot recite for you what that policy
15 was.

16 Q. Was it your understanding that -- well,
17 back up and strike that.

18 Throughout your time at Ethicon, did you
19 retain all of your documents related to pelvic mesh
20 products, to the best of your knowledge?

21 A. I'm confident that I complied with the
22 retention policy, which included retaining all the
23 documents for which a document hold notice had been
24 issued.

25 Q. And you understood or you operated under